

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q88762

Swee Liang MAK, et al.

Appln. No.: 10/541,130

Group Art Unit: 1732

Confirmation No.: 4526

Examiner: Not Yet Known

Filed: June 22, 2006

For: CEMENTITIOUS PRODUCTS

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

**ATTN:** Office of Initial Patent Examination  
Filing Receipt Correction

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We enclose a copy of the Official Filing Receipt for the above-identified application and request the following correction:

**Assignment for Published Patent Application:**

Commonwealth Scientific and Industrial Research Organisation

**Title:** Cementitious [products] product

Verification for the requested correction is indicated on the executed Assignment and Declaration filed June 22, 2006.

Respectfully submitted,

  
Gordon Kit  
Registration No. 30,764

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE  
23373  
CUSTOMER NUMBER

Date: October 2, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/541,130	06/22/2006	1732	1530	Q88762	1	30	3

CONFIRMATION NO. 4526

23373  
 SUGHRUE MION, PLLC  
 2100 PENNSYLVANIA AVENUE, N.W.  
 SUITE 800  
 WASHINGTON, DC 20037

## FILING RECEIPT



\*OC000000019734765\*

Date Mailed: 07/27/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Swee Liang Mak, Vermont South, AUSTRALIA;  
 Genrietta Shapiro, East Kilda, AUSTRALIA;  
 David James Bell Ritchie, Carrum Downs, AUSTRALIA;  
 Rodney William Banks, Edithvale, AUSTRALIA;  
 Geoffrey William Quick, Kew East, AUSTRALIA;

*Assignment for Published Patent Application* → *Commonwealth Scientific and Industrial Research Organisation*

Power of Attorney: The patent practitioners associated with Customer Number 23373.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/AU04/00055 01/15/2004

## Foreign Applications

AUSTRALIA 2003900156 01/15/2003

If Required, Foreign Filing License Granted: 07/24/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/541,130**

Projected Publication Date: 11/02/2006

Non-Publication Request: No

Early Publication Request: No

Title

Cementitious [products] product

Preliminary Class

264

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

US  
PATENT  
Attorney's docket no. Q88762

**ASSIGNMENT**

WHEREAS, I/WE

**Swee Liang MAK**, a Malaysian citizen of 7 Kalara Place, Vermont South, Victoria 3133, Australia;  
**Genrietta SHAPIRO**, an Australian citizen of 5/25 Mayfield Street, East St. Kilda, Victoria 3183, Australia;  
**David James Bell RITCHIE**, an Australian citizen of 60 Wedge Road, Carrum Downs, Victoria 3201, Australia;  
**Rodney William BANKS**, an Australian citizen of 35 Northcliffe Road, Edithvale, Victoria 3196, Australia;  
**Geoffrey William QUICK**, an Australian citizen of 41 Bennett Parade, Kew East, Victoria 3102, Australia;

hereinafter referred to as Assignor (collectively if more than one inventor is listed above), have invented certain new and useful improvements in **Cementitious product**

the specification of which:

- (a) ☐ was executed on even date herewith;  
(b) ☐ was filed on \_\_\_\_\_ as ☐ Application No \_\_\_\_\_ or  
☐ Express Mail No., as Application No. not yet known \_\_\_\_\_ and was amended on \_\_\_\_\_  
(if applicable); or  
(c) ☒ was described and claimed in PCT International Application PCT/AU2004/000055  
filed on 15 January 2004 and as amended under PCT Article 19 on \_\_\_\_\_ (if any)  
and/or under PCT Article 34 on 22 December 2004 and 11 March 2005 (if any).

AND WHEREAS,

**Commonwealth Scientific and Industrial Research Organisation**, of Limestone Avenue, Campbell, Australian Capital Territory, 2612, Australia.

(hereinafter referred to as Assignee) desires to acquire the entire rights, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

NOW, THEREFOR, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title, and interest in the United States of America, and its territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

This 8 day of June, 2006

  
\_\_\_\_\_  
Signature of **Swee Liang MAK**

  
\_\_\_\_\_  
Witness

US  
PATENT  
Attorney's docket no. Q88762

This 08 day of JUNE, 2008

G. Shapiro  
Signature of **Genrietta SHAPIRO**

[Signature]  
Witness

This 8 day of JUNE, 2006

David Ritchie  
Signature of **David James Bell RITCHIE**

[Signature]  
Witness

This 8 day of JUNE, 2006

[Signature]  
Signature of **Rodney William BANKS**

[Signature]  
Witness

This \_\_\_\_\_ day of \_\_\_\_\_, 20

\_\_\_\_\_  
Signature of **Geoffrey William QUICK**

\_\_\_\_\_  
Witness

US  
PATENT  
Attorney's docket no. Q88762

**ASSIGNMENT**

WHEREAS, I/WE

**Swee Liang MAK**, a Malaysian citizen of 7 Kalara Place, Vermont South, Victoria 3133, Australia;  
**Genrietta SHAPIRO**, an Australian citizen of 5/25 Mayfield Street, East St. Kilda, Victoria 3183, Australia;  
**David James Bell RITCHIE**, an Australian citizen of 60 Wedge Road, Carrum Downs, Victoria 3201, Australia;  
**Rodney William BANKS**, an Australian citizen of 35 Northcliffe Road, Edithvale, Victoria 3196, Australia;  
**Geoffrey William QUICK**, an Australian citizen of 41 Bennett Parade, Kew East, Victoria 3102, Australia;

hereinafter referred to as Assignor (collectively if more than one inventor is listed above), have invented certain new and useful improvements in **Cementitious product**

the specification of which:

- (a) ☐ was executed on even date herewith;
- (b) ☐ was filed on \_\_\_\_\_ as ☐ Application No \_\_\_\_\_ or  
☐ Express Mail No., as Application No. not yet known \_\_\_\_\_ and was amended on  
\_\_\_\_\_  
(if applicable); or
- (c) ☒ was described and claimed in PCT International Application PCT/AU2004/000055  
filed on 15 January 2004 and as amended under PCT Article 19 on \_\_\_\_\_ (if any)  
and/or under PCT Article 34 on 22 December 2004 and 11 March 2005 (if any).

AND WHEREAS,

**Commonwealth Scientific and Industrial Research Organisation**, of Limestone Avenue, Campbell, Australian Capital Territory, 2612, Australia.

(hereinafter referred to as Assignee) desires to acquire the entire rights, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

NOW, THEREFOR, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title, and interest in the United States of America, and its territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature of **Swee Liang MAK**

\_\_\_\_\_  
Witness

This \_\_\_\_\_ day of \_\_\_\_\_, 20

\_\_\_\_\_  
Signature of **Genrietta SHAPIRO**

\_\_\_\_\_  
Witness

This \_\_\_\_\_ day of \_\_\_\_\_, 20

\_\_\_\_\_  
Signature of **David James Bell RITCHIE**

\_\_\_\_\_  
Witness

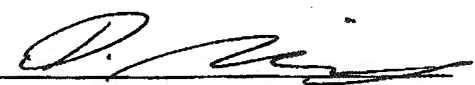
This \_\_\_\_\_ day of \_\_\_\_\_, 20

\_\_\_\_\_  
Signature of **Rodney William BANKS**

\_\_\_\_\_  
Witness

This 8 day of JUNE, 2006

  
\_\_\_\_\_  
Signature of **Geoffrey William QUICK**

  
Witness *Daniel Andrew McKinley*



**DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)**

As a below named inventor, I hereby declare that: My residence, mailing address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Cementitious product

the application of which

☐ is attached hereto

OR

x was filed on 15 January 2004 as United States Application Number or PCT International Application Number PCT/AU2004/000055

(Confirmation No. \_\_\_\_\_), and was amended on 22 December 2004 & 11 March 2005 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part application(s), material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) having a filing date before that of the application on which priority is claimed.

Prior Application Number(s)

2003900156

Country

Australia

Filing Date

15 January 2003

Priority Claimed

Yes

No

☒

☐

I hereby claim benefit under 35 United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)

Filing Date

I hereby claim benefit under 35 United States Code §120 of any United States application(s) or §365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any information material to the patentability of this application as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. or International Application Number(s)

PCT/AU2004/000055

U.S. or International Filing Date

15 January 2004

Status

I hereby appoint all attorneys of **SUGHRUE MION, PLLC** who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Attorney Docket No.: Q88762

Client Ref. No.: 12402390/2003900156/JCC

<b>NAME OF SOLE OR FIRST INVENTOR:</b>															
Given Name (first and middle [if any])			Swee Liang			Family Name or Surname		MAK							
Inventor's Signature						Date		8/6/2006							
Residence: City		Vermont South		State		Victoria		Country		Australia		Citizenship		Malaysia	
Mailing Address:		7 Kalara Place, Vermont South, Victoria 3133, Australia													
City		Vermont South		State		Victoria		Zip		3133		Country		Australia	
<b>NAME OF SECOND INVENTOR:</b>															
Given Name (first and middle [if any])			Genrietta			Family Name or Surname		SHAPIRO							
Inventor's Signature						Date		08/06/2006							
Residence: City		East St. Kilda		State		Victoria		Country		Australia		Citizenship		Australia	
Mailing Address:		5/25 Mayfield Street, East St. Kilda, Victoria 3183 Australia													
City		East St. Kilda		State		Victoria		Zip		3183		Country		Australia	
<b>NAME OF THIRD INVENTOR:</b>															
Given Name (first and middle [if any])			David James Bell			Family Name or Surname		RITCHIE							
Inventor's Signature						Date		8/6/2006							
Residence: City		Carrum Downs		State		Victoria		Country		Australia		Citizenship		Australia	
Mailing Address:		60 Wedge Road, Carrum Downs, Victoria 3201, Australia													
City		Carrum Downs		State		Victoria		Zip		3201		Country		Australia	
<b>NAME OF FOURTH INVENTOR:</b>															
Given Name (first and middle [if any])			Rodney William			Family Name or Surname		BANKS							
Inventor's Signature						Date		08/06/2006							
Residence: City		Edithvale		State		Victoria		Country		Australia		Citizenship		Australia	
Mailing Address:		35 Northcliffe Road, Edithvale, Victoria 3196, Australia													
City		Edithvale		State		Victoria		Zip		3196		Country		Australia	

**NAME OF FIFTH INVENTOR:**

Given Name (first and middle [if any])		Geoffrey William		Family Name or Surname		QUICK	
Inventor's Signature						Date 8/6/06	
Residence: City	Kew East	State	Victoria	Country	Australia	Citizenship	Australia
Mailing Address:		41 Bennett Parade, Kew East, Victoria 3102, Australia					
City	Kew East	State	Victoria	Zip	3102	Country	Australia

**NAME OF SIXTH INVENTOR:**

Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Mailing Address:							
City		State		Zip		Country	

**NAME OF SEVENTH INVENTOR:**

Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Mailing Address:							
City		State		Zip		Country	

**NAME OF EIGHTH INVENTOR:**

Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Mailing Address:							
City		State		Zip		Country	

**NAME OF NINTH INVENTOR:**

Given Name (first and middle [if any])				Family Name or Surname			
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